IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 1808 OF 2006

M/s. Kalpavruksh Developers. .. Petitioner.

vs.

State of Maharashtra

& Ors. .. Respondents.

Shri Milan A. Desai for Petitioner.

Mrs. A.S. Pai, APP., for State.

CORAM : J.N. PATEL, AND

SMT. ROSHAN DALVI, JJ.

DATE : 24th August, 2006.

P.C.

. Not on Board. Mentioned. Taken on Board.

2. Heard.

3. The main grievance of the petitioner before this Court appears to be that the police are not acting on the order passed by the Magistrate to conduct an investigation under Section 156 (3) of Cr.P.C. The learned counsel for the petitioner submits that the said order came to be passed on 14.8.2006 and the Magistrate has granted two months time to the police to submit the report. But till

today no action has been taken by the police. In our view it is premature for the petitioner to knock the doors of this Court. If the petitioner has any grievance he should approach the Magistrate and we find no impediment in the way of the petitioner to apprise the Magistrate with the developments which took place after he passed an order directing the police to investigate the matter.

4. With these directions the petition is dismissed. Needless to say that if the petitioner makes out any case for interference by this Court he can again approach this Court. But if the petitioner knocks the doors of this Court without there being any cause of action or justification, next time the Court would dismiss the petition with compensatory costs.

(J.N. Patel, J.)

(Smt. Roshan Dalvi, J.)